



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
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dcd@sanjuanco.com | www.sanjuanco.com

MEMORANDUM

REPORT DATE: March 30, 2022
TO: San Juan County Council
CC: Mike Thomas, County Manager
David Williams, Department of Community Development (DCD) Director
FROM: Sophia Cassam, DCD, Planner II *sc*
SUBJECT: Draft Vacation Rental Permit Cap Ordinance
BRIEFING DATE: April 5, 2022
ATTACHMENTS: A. Draft Ordinance Establishing a Cap on Permits for Vacation Rental of Residences or Accessory Dwelling Units (ADUs); Amending San Juan County Code (SJCC) 18.40.275
B. Public Comments received since March 8, 2022

PURPOSE

To provide options for the County Council's consideration regarding the draft ordinance establishing a cap on permits for vacation rental of residences or accessory dwelling units (ADUs); amending San Juan County Code (SJCC) 18.40.275

PUBLIC COMMENTS

Please send all public comments to VRComments@sanjuanco.com. Please do not copy the County Council, Planning Commission members, or County Staff. Written public comments received by April 4 at 12:00 pm will be provided to the County Council prior to the meeting. Please focus public comments on the issues contemplated in this memo.

To view all public comments on this topic, please visit the 2021 Vacation Rental Code Amendment webpage: <https://www.sanjuanco.com/1826/2021-Vacation-Rental-Code-Amendment>

BACKGROUND

The County Council began the ongoing Vacation Rental Code Amendment project in January 2021 when a moratorium on new vacation rental permits was enacted to allow for time to consider a cap on vacation rentals. The County Council discussed vacation rental caps at their meetings on March 30, May 12, and June 29, 2021, before providing guidance to staff and the Planning Commission.

The Planning Commission discussed the cap at their meetings on July 16, August 20, and September 17 and at the public hearings on October 15, 2021, and February 18, 2022. On March 8, 2022, the County Council was briefed on the Planning Commission's recommendations regarding a draft ordinance establishing vacation rental permit caps countywide and by island. The proposed changes to the vacation rental ordinance are shown below.

DRAFT ORDINANCE

Section 1 of the attached draft ordinance shows the amendments to San Juan County Code (SJCC) 18.40.275 as recommended by the Planning Commission (Attachment A). The ordinance proposes new subsections (N) and (O) of SJCC 18.40.275 and amendments to SJCC 18.40.275(L) for consistency with the proposed changes. New section 18.40.275(N) sets the Countywide total number of permits at 650. It also states that new permits will be issued by lottery. New section 18.40.275(O) sets the per-island caps. The proposed new SJCC 18.40.275(N) and (O) would read as follows:

N. The number of vacation rental permits countywide outside of the Master Planned Resort (MPR) designation shall not exceed a total of six-hundred and fifty (650). Vacation rental permits shall be issued by lottery procedures established by the administrator and approved by the County Council.

O. The number of vacation rental permits shall not exceed the following caps:

1. Three-hundred and thirty-four (334) on Orcas Island;
2. Two-hundred and twenty-nine (229) on San Juan Island;
3. Eighty-five (85) on Lopez Island;
4. Vacation rentals are prohibited on Shaw Island by SJCC 16.45.180(C);
5. Vacation rentals are prohibited on Waldron Island by SJCC 16.36.060(G); and
6. Two (2) on all other islands.

Subsection 18.40.275(L) establishes the requirement that permits vested under previous regulations must submit certificates of compliance. This subsection will be amended to exclude the sections that existing permits vested or approved prior to Ordinance 02-2018 cannot certify compliance with because they were issued under previous regulations. This includes the recently amended guest number limitations, recently amended parking requirements, and the permit expiration standard established for permits issued under the current regulations. The proposed text of SJCC 18.40.275(L) with ~~strikeout~~/underline formatting (~~Removal~~/Addition) states:

L. The owners of vacation rental permits vested or approved prior to the effective date of ~~the Ordinance 02-2018 codified in this section~~ are required to comply with all subsections of this section except subsections (B), (F) and (J) of this section by December 31, 2018, in addition to the conditions of their permit.

For reference, Ordinance 02-2018 became effective on March 27, 2018.

OPTIONS FOR CONSIDERATION

At the March 8, 2022 briefing the County Council discussed a variety of options for determining the basis of vacation rental permit caps. The various options address different issues and have varying implications. Options include setting vacation rental permit caps based on the number of permits that were:

A. Compliant on July 31, 2021

Planning Commission Recommendation

The Planning Commission recommends setting countywide and by-island caps on vacation rentals based on the number of permits that were compliant on July 31, 2021. "Compliant" refers to the number of issued permits that were in compliance with SJCC 18.40.275. This includes both permits that have self-reported being active and inactive on their annual certificates of compliance.

Countywide: 650
Orcas: 334
San Juan: 229
Lopez: 85
All other islands: 2

B. Active and Compliant on July 31, 2021

A concept brought forward by some members of the public, which was also discussed by the Planning Commission and by the Council at the March 8 meeting, is to set permit caps at the number of permits that were active and compliant as July 31, 2021. This includes permits that were compliant with SJCC 18.40.275 and that had self-reported being in active use on their annual certificates of compliance. This excludes permits that had self-reported being inactive on their annual certificates of compliance.

Countywide: 413
Orcas: 211
San Juan: 140
Lopez: 60
All other islands: 2

C. Originally Proposed by Council

The County Council provided staff and the Planning Commission guidance to prompt discussion regarding vacation rental permit caps. The numbers below show what the County Council had initially had in mind.

Countywide: 1,200
Orcas: 500
San Juan: more than the existing number, closer to 500 (similar to Orcas)
Lopez: more than current number (130 at the time) but not as many as San Juan and Orcas Islands
All other islands: undetermined

D. Compliant at the Date of Adoption

Another option is to set caps at the number of compliant permits at the date the ordinance is adopted. The number of permits currently issued are shown below. *These numbers are expected to increase between now and the time of adoption.*

Countywide: 1042
Orcas: 508
San Juan: 392
Lopez: 134
All other islands: 8

IMPLICATIONS

Any vacation rental permit caps set at or below the number of permits on the date the ordinance is adopted will halt the acceptance of new vacation rental permit applications. No new permit applications will be accepted until the number of permits falls below the established caps. There are three ways that the number of permits can decrease. Permit holders can abandon their permits; permits issued after March 18, 2018 expire when permit holders fail to submit certificates of compliance; and the County can revoke noncompliant permits.

The lower the cap number, the longer it will take for permit numbers to decrease to a level where new permits can be issued. Limiting vacation rental permits could also lead permit holders to retain their permits for longer periods of time because they will not be able to get a new one anytime in the near future. If vacation rental caps are set below the number of new permits on the date of the ordinance, it may be a long time before San Juan County issues new vacation rental permits.

If the Council sets a vacation rental permit cap, a system will need to be created to assign new permits when they become available. A possible solution could be to create an annual lottery process similar to the current Accessory Dwelling Unit (ADU) lottery.

NEXT STEPS

DCD is requesting that the County Council consider their preferences for vacation rental permit caps countywide and by island (San Juan, Orcas, Lopez, and Other) at the April 5, 2022, meeting. The preferred caps can be incorporated into the draft ordinance.

The County Council must review the draft ordinance a minimum of three times and hold a public hearing prior to adoption. The legislative procedures for modifying Title 18 SJCC are established in SJCC 18.90.020 Legislative procedures. The County Council reviewed the draft ordinance on March 8 and will review it again for a second time on April 5, 2022. The remaining required steps are outlined below:

1. Council reviews the draft ordinance a third time and sets a public hearing on the proposed vacation rental permit cap [April 19, 2022]
2. Council holds a public hearing and adopts a code amendment ordinance [date proposed by DCD: May 17, 2022]

MORATORIUM

The current moratorium on vacation rentals of residences and accessory dwelling units in UGAs, hamlets and activity centers is set to expire on July 13, 2022. According to the revised work plan in Resolution 33-2021, this project is expected to be complete in May 2022. This project is currently on-schedule with the work plan. While the moratorium is in effect, no new applications for vacation rental permits in urban growth areas, hamlets, and activity centers are accepted by the County.

ORDINANCE NO. ____ - 2022

ORDINANCE ESTABLISHING A CAP ON PERMITS FOR VACATION RENTAL OF RESIDENCES OR ACCESSORY DWELLING UNITS (ADUs); AMENDING SAN JUAN COUNTY CODE (SJCC) 18.40.275 AND ORDINANCE 2-2018.

BACKGROUND

- A. In 1998, the County Council adopted Ordinance 2-1998, establishing performance standards for vacation (short-term) rentals of residences and accessory dwelling units (ADUs) in San Juan County Code (SJCC) 18.40.270.
- B. SJCC 18.40.270 was amended three times by Ordinances 145-1998, 21-2002, and 7-2006.
- C. In 2018, the San Juan County Council adopted Ordinance 2-2018, repealing SJCC 18.40.270 and establishing SJCC 18.40.275, which regulates vacation rental of residences and ADUs.
- D. SJCC 18.40.275 does not specifically regulate the number of vacation rental permits.
- E. The County Council identified a need to adopt specific regulations to limit the number of vacation rental permits allowed countywide and on a per-island basis.
- F. The County Council met to develop legislative options for regulations related to the vacation rental moratorium on February 23, 2021; March 9, 2021; March 30, 2021; April 20, 2021 and May 12, 2021.
- G. At their May 12, 2021 meeting, the County Council provided guidance to the staff and the Planning Commission for development additional vacation rental regulations including an overall cap on the number of permits issued, caps on numbers of permits issued by island, measures to address emergency management, impacts to neighborhoods and impacts to community roads and water systems.
- H. The County Council specifically desires to:
 - 1. Establish a Countywide cap for vacation rentals in the Unified Development Code (UDC), Title 18 SJCC.
 - 2. Establish a per-island cap for vacation rentals in the UDC, Title 18 SJCC.
- I. County staff briefed the Planning Commission about the County Council direction and draft proposal on July 16, August 20, and September 17, 2021.

- 1 **J.** County staff completed the environmental and nonproject action checklist for the project
2 in compliance with the State Environmental Policy Act (SEPA) and determined that the
3 proposal would be unlikely to create significant adverse environmental impacts.
4
- 5 **K.** County staff issued a Determination of Non-significance (DNS) on September 29, 2021
6 and published it in the Journal of the San Juan Islands and The Island's Sounder. County
7 staff transmitted the environmental checklist and DNS to federal, state, and local agencies
8 in accordance with SJCC 18.80.050 and WAC 197-11-340.
9
- 10 **L.** The Washington State Department of Ecology published notice of the SEPA determination
11 on their SEPA Register under No. 202105252.
12
- 13 **M.** County staff submitted a sixty-day notice regarding the potential adoption of amendments
14 to the County's development regulations to the Washington State Department of
15 Commerce (Commerce) on September 28, 2021 in compliance with RCW 36.70A.106.
16
- 17 **N.** Commerce acknowledged receipt of the sixty-day notice and identified it as Submittal ID
18 No. 2021-S-3188 on September 28, 2021.
19
- 20 **O.** An October 15, 2021 Planning Commission public hearing was advertised in the Journal
21 of the San Juan Islands and The Island's Sounder on September 29, 2021.
22
- 23 **P.** The Planning Commission held a duly advertised public hearing on October 15, 2021,
24 deliberated and recommended that the County Council should adopt the ordinance with
25 modifications.
26
- 27 **Q.** The Planning Commission did not issue findings at the October 15, 2021 public hearing.
28
- 29 **R.** Per SJCC 2.20.070 Role and function of the planning commission, the Planning
30 Commission must include findings when making a recommendation at a public hearing.
31
- 32 **S.** The Planning Commission held a duly advertised public hearing on February 18, 2022,
33 deliberated and agreed on findings to accompany the October 15, 2021, recommendation.
34
- 35 **T.** County staff briefed the County Council on the Planning Commission's recommendation
36 regarding the proposal on March 8, 2022.
37
- 38 **U.** The County Council was briefed on the draft ordinance on April 5, 2022.
39
- 40 **V.** A X, 2022 County Council public hearing was advertised in the Journal of the San Juan
41 islands and the Island's Sounder on X, 2022.
42
- 43 **W.** The County Council held a duly advertised public hearing on X, 2022, and received public
44 testimony.
45
- 46 **X.** The County Council deliberated on the ordinance and made the following findings:

1
2 a. Placeholder: Council Findings.
3

4 **NOW, THEREFORE, BE IT ORDAINED** by the County Council of San Juan County,
5 State of Washington, as follows:
6

7 **Section 1. SJCC 18.40.275 and Ordinance 2-2018 § 2 are each amended to read**
8 **as follows:**
9

10 **18.40.275 Vacation rental of residences or accessory dwelling units (ADUs).**

11
12 When vacation rental of a residence or accessory dwelling unit, as defined by SJCC 18.20.220, is
13 allowed by this code, the following standards apply:
14

15 A. Outside of urban growth areas, one vacation rental is allowed on a property, either in
16 the principal residence or an accessory dwelling. Detached accessory dwelling units
17 permitted on or after June 29, 2007, are not allowed to be vacation rentals.
18

19 B. No more than two overnight guests per bedroom plus additional three overnight guests
20 shall be accommodated at any one time. The number of bedrooms is determined by the
21 approved building permit for the structure. A guest is a person over two years of age.
22

23 C. The vacation rental shall be operated according to rules of conduct approved by the
24 County that prevent the following disturbances to area residents:
25

- 26 1. Trespassing;
- 27
- 28 2. Noise that violates Chapter 9.06 SJCC (Noise Ordinance);
- 29
- 30 3. Off-site parking issues;
- 31
- 32 4. Vehicle speeds of higher than the posted speed limit, or 20 miles per hour (mph)
- 33 on private paved roads and 15 mph on private nonpaved roads; and
- 34
- 35 5. Outdoor burning that violates the requirements adopted pursuant to SJCC
- 36 15.04.070(F)(4)(c), including violations of a burn ban.
- 37

38 D. Solid waste must be removed from the vacation rental to an approved solid waste facility
39 every two weeks. Solid waste shall be stored in completely enclosed and secured solid
40 waste receptacles or stored completely indoors.
41

42 E. Guests shall be made aware of the importance of water conservation. Best practices to
43 conserve water shall be included in the rules of conduct.
44

45 F. One on-site parking space shall be provided for each bedroom within the vacation rental.
46

1 G. Meal service provided by the permit holder or their agents is not allowed.

2
3 H. All vacation rental permit holders are required to display the address of the residence so
4 that it is clearly visible from the street or access road.

5
6 I. Vacation rental accommodations must meet all applicable local and state regulations,
7 including those pertaining to business licenses and taxes such as Washington State sales,
8 lodging and business and occupation taxes.

9
10 J. Vacation rental permits vested or approved after the effective date of the ordinance
11 codified in this section shall expire two years after the date of approval unless the annual
12 certificates of compliance meeting the requirements of subsection (K)(4) of this section are
13 on file with the administrator.

14
15 K. All owners of property used for vacation rental shall comply with the following
16 operational requirements:

17
18 1. Maintain an up-to-date property management plan on file with the administrator
19 and property owners within 300 feet of the building within which the vacation rental
20 is located. The property management plan must include the following:

- 21 a. Rules of conduct approved by the County;
- 22
- 23 b. Unified business identifier number, and the names and addresses of the
- 24 property owner and agents authorized to act on the property owner’s behalf;
- 25
- 26 c. A designated local property representative who lives on the island where
- 27 the vacation rental is located and will respond to complaints and
- 28 emergencies; and
- 29
- 30 d. A valid telephone number where the local property representative can be
- 31 reached 24 hours per day;
- 32
- 33

34 2. Prominently display in the rental the rules of conduct and a map clearly depicting
35 the property boundaries of the vacation rental. The map shall indicate if there is an
36 easement that provides access to the shoreline; if so, the boundaries of the easement
37 shall be clearly defined; if there is no access, this shall be indicated together with a
38 warning not to trespass;

39
40 3. Include the San Juan County permit number for the vacation rental in all
41 advertisements and marketing materials such as brochures and websites;

42
43 4. Annually certify compliance with the conditions of permit approval and with the
44 fire and life safety requirements of the International Fire Code (IFC) as identified
45 by the department on forms specified by the administrator. The annual certification
46 shall be prominently posted on site; and

5. Certify compliance with the conditions of permit approval within 90 days after the closing date of the sale of the property. Written certification must be submitted to the department on forms specified by the administrator.

L. The owners of vacation rental permits vested or approved prior to the effective date of the Ordinance 02-2018 codified in this section are required to comply with all subsections of this section except subsections (B), (F) and (J) of this section by December 31, 2018, in addition to the conditions of their permit.

M. A vacation rental shall not operate or be advertised without a vacation rental permit. Evidence of operation includes advertising, online calendars showing availability, guest testimony, online reviews, rental agreements or receipts.

N. The number of vacation rental permits countywide outside of the Master Planned Resort (MPR) designation shall not exceed a total of six-hundred and fifty (650). Vacation rental permits shall be issued by lottery procedures established by the administrator and approved by the County Council.

O. The number of vacation rental permits shall not exceed the following caps:

- 1. Three-hundred and thirty-four (334) on Orcas Island;
- 2. Two-hundred and twenty-nine (229) on San Juan Island;
- 3. Eighty-five (85) on Lopez Island;
- 4. Vacation rentals are prohibited on Shaw Island by SJCC 16.45.180(C);
- 5. Vacation rentals are prohibited on Waldron Island by SJCC 16.36.060(G); and
- 6. Two (2) on all other islands.

Section 2. Effective Date.

This Ordinance is effective on the 10th working day after adoption.

Section 3. Codification.

Section 1 of this ordinance shall be codified.

1 ADOPTED this ____ day of _____, 2022.

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ATTEST: Clerk of the Council

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

Ingrid Gabriel, Clerk Date

Jamie Stephens, Chair
District 3

REVIEWED BY COUNTY MANAGER

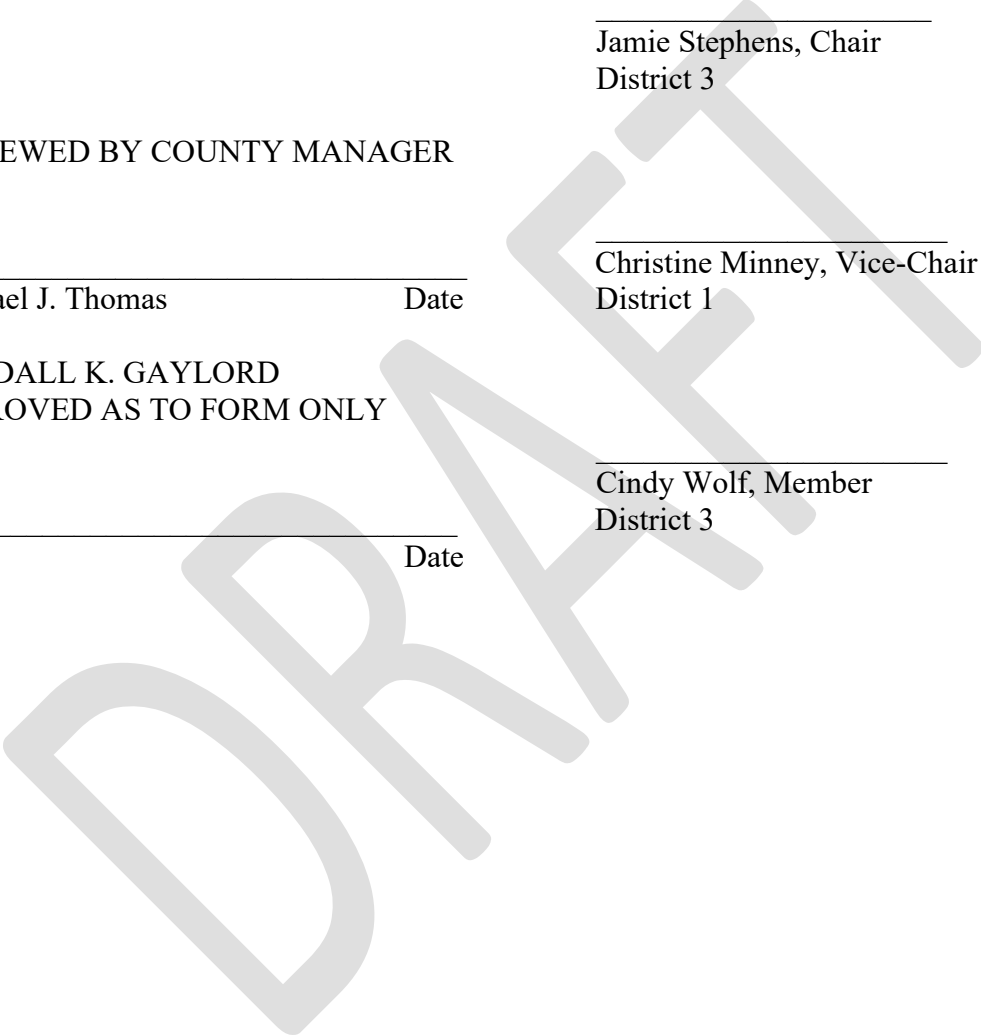
Michael J. Thomas Date

Christine Minney, Vice-Chair
District 1

RANDALL K. GAYLORD
APPROVED AS TO FORM ONLY

By: _____
Date

Cindy Wolf, Member
District 3



Sophia Cassam

From: Lisl Thomsen <lsltmsn7@gmail.com>
Sent: Tuesday, March 8, 2022 9:21 AM
To: Vacation Rental Comments
Subject: VR comments

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I request the council take time to consider the quality of the recommendation. Its language is vague, and less than sound. This impresses that perhaps there is more time needed towards this issue and this document before making it official.

Regarding Findings B: "a conclusion reached as a result of an inquiry, investigation, or trial".

1. Many of our guests are here specifically to visit members of the community, as their family. Many others are staying in transient rental because they would like to move to Orcas and become members of the community. Many return year after year.
2. Not all Full time residents contribute to a sense of community.
3. Stating that VR guests are outnumbering residents is false and completely unsupported by any actual data. Perhaps this is an effort to address clusters of VR homes in specific neighborhoods...if this is a concern, the recommendations do not address this issue directly.

Regarding Findings E: "It is appropriate to evaluate the impact of VRs on the environment, neighborhoods and the community."

1. These are concerns that should be applied to all residences of the islands. NOT restricted or focused to VR's.
2. It is NOT appropriate to assume negative impact without doing an evaluation.

Regarding the proposed limit on VRs at 650 permits for five years:

Wealth disparity is one of the leading problems for SJC residents who need to work to live here. By limiting VR permits so severely, the county will limit the ability of residents to stay in this high-cost county.

Also it is vague language, where exactly does it leave us in 5 years?

Another consideration, In the last couple years Orcas has had 3 large VR/bed and breakfast properties bought for private residences. The number of lost guest accommodations has got to be around 50 beds. That is a significant reduction in the established availability of accommodations for the island. How does the county consider this sort of event into it's permit restrictions as well as it's concern for the economic impact it will inevitably have on the islands' economy?

I beg that you take the time and consideration to address this issue and not rush to pass something that is just close enough, in order to get it off your desk.

Thank you,
Lisl Thomsen

Sophia Cassam

From: Ingrid Gabriel
Sent: Tuesday, March 8, 2022 8:20 AM
To: Sophia Cassam
Subject: FW: March 8 Agenda Item 6: Consideration of Findings on a Vacation Rental Permit Cap
Attachments: 2022-01-17-VRWG comments Findings of Fact-Shanks.pdf

From: Brian Wiese <Brian_Wiese@outlook.com>
Sent: Monday, March 7, 2022 4:52 PM
To: Ingrid Gabriel <ingridg@sanjuanco.com>
Subject: March 8 Agenda Item 6: Consideration of Findings on a Vacation Rental Permit Cap

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Honorable Councilmembers:

In the matter before you today, adopting findings of fact for an action on short-term rentals in the county, I would urge you to adopt the proposed findings previously submitted to you by Anne-Marie Shanks in her letter to the Planning Commission and DCD of January 17, 2022 (attached). Based on those findings, I would further respectfully urge you to:

- Renew the moratorium on vacation rentals for an additional six months from its current expiration date of July 13, 2022 and repeatedly thereafter until such time as additional regulations permanently regulating the number, distribution and operation of vacation rentals have been adopted;
- Extend the moratorium beyond UGAs, hamlets and activity centers to include all areas of San Juan County; and
- During that moratorium, cap the number of vacation rentals to the number of *active and compliant* permits existing on August 20, 2021, the date of the Planning Commission's original recommendation: 413.

Thank you for your consideration,

--Brian Wiese
Orcas Island

San Juan County Planning Commission
Department of Community Development
PO Box 947
Friday Harbor, WA 98245
January 17, 2022

Dear Planning Commissioners and Department of Community Development (DCD):

During the December 7, 2021 San Juan County Council (SJCC) Meeting, Council Members requested the Planning Commission create Findings of Fact and return those to them. DCD Planner Sophia Chassam's November 23, 2021 memorandum addressing renewal of the short term rental moratorium includes draft Findings of Fact. We have included a number of the DCD Findings of Fact in this document and provided additional Findings to assist your work.

Findings of Fact

Impact of Short-term Vacation Rentals (STVRs) on the San Juan Islands

- 1) Residents of San Juan County began expressing their pain from short term rentals before July 31, 2021, when active and compliant short term vacation rentals (STVRs) in San Juan County were at 413 permits.
- 2) San Juan County Code 18.04.275 regulates short term vacation rentals of residences but does not include regulations that address the impact of over-concentration of STVRs or the impacts of over-tourism on island neighborhoods.
- 3) The County needs to adequately address potential land use compatibility issues and adverse impacts to rural character, natural resources and the public welfare. A DCD map shows the majority of short-term vacation rentals are located on unpaved private roads with insufficient width to permit simultaneous ingress of emergency service vehicles.

4) Short term vacation rentals are the primary source of growth of transient accommodations in the County. Other sources of transient accommodations such as hotels, campgrounds and resorts are significantly limited by existing land use regulations.

5) Growth of transient accommodations is likely to result in additional tourist visits to the islands, which results in over-tourism if not properly regulated. Over-tourism (including the high turn-over of STRV occupants) can result in negative impacts including reducing the sense of community, damage to the environment, overload to infrastructure (including our fragile ferry system) and degraded tourist experience.

6) In 2021 the WA State Ferry system imploded. Currently, sailing schedules to the San Juan Islands are plagued by delays and cancellations due to shortages of available crew, mechanical problems, pandemic and over-tourism, leaving county residents without adequate transportation options. This problem would only be made worse by adding more tourist traffic due to an increase in short-term vacation rental permits.

7) Extreme weather conditions in recent months have exposed the vulnerable nature of our islands' infrastructure, particularly on Orcas Island, where flooding has resulted in mud slides and road cave-ins. Increasing the number of STRV permits would add to the stress on our local resources at the very time the focus should be on restoring and rebuilding our local infrastructure to ensure the safety of our residents.

8) A 2017 study from researchers at UCLA and USC collected data from Airbnb, Zillow, and the US Census between 2012-2016. Using zip codes from across the country, the study found that a 10% increase in Airbnb listings caused rental prices to increase by .4% and house sales to increase by .7%.

9) Homes with transient rental permits usually list and sell for more money than other homes, contributing to an accelerated rise in values and prices.

Washington State Response

10) On June 28, 2019, HB1798, became law. This law requires short term rental operators to register with the Department of Revenue (DOR), collect and pay various taxes, fees and assessments to which an operator or owner of a hotel or B&B is subject, and

buy liability insurance: RCWs 64.37.020, 64.37.050, RCW 64.37.030. These requirements affirm short term rentals are businesses.

San Juan County Council Responses

11) In 2018, the San County Council updated its short term rental regulations to require existing permit holders to annually certify compliance with their conditions of permit approval.

12) The legislative history of San Juan County Council 2021 actions related to Vacation Rental Moratorium is outlined in San Juan County Resolutions - 03, 05, 16, and on December 7, 2021.

13) At their May 12, 2021 meeting, the County Council provided guidance to the staff and the Planning Commission for development of additional short term rental regulations including an overall cap on the number of permits issued, caps on permits by island, measures to address emergency management, impacts to neighborhoods and impacts to community roads and water systems.

14) The County Council, at the May 12, 2021 meeting, reduced the scope of the moratorium to Eastsound, Lopez Village, Activity Centers and Hamlets, leaving the rest of the county open to additional STR permits. This induced a rush for permits. Some 52 short term rental permits were issued in the first six months of the moratorium.

15) On December 7, 2021, the moratorium on the issuance of short term rental permit processing in UGAs, Hamlets and Activity Centers was renewed for an additional six-month period beginning January 13, 2022 and shall expire on July 13, 2022 unless renewed as provided in RCW 36.70.795 and 36.70A.390.

San Juan County Planning Commission Responses

16) In November, 2020 the Planning Commission unanimously recommended the County Council enact a county-wide moratorium and caps on the number of short term rentals in the county.

17) At the August 20, 2021 meeting, the Commission voted unanimously to support a cap of 413, based on the number of active and compliant short term rentals at that time. At that time county residents were already experiencing negative effects from short term vacation rentals.

18) On October 15, 2021, the Planning Commission voted to cap short term rentals at 650 compliant permits. The four-to-three vote limited the cap to five years.

San Juan County Resident Responses

19) In 2019 the Eastsound Planning Review Committee recommended a moratorium on vacation rentals. The Deer Harbor Plan Review Committee submitted a 2020 docket request asking for a complete ban on vacation rentals in the hamlet.

20) Prior to the August 20, 2021 Planning Commission meeting, the Commission received: 178 comments supporting caps at or below the current level of active and compliant short term rentals and a petition from Lopez Island with 240 signatures asking for limits on short term rentals.

21) Some 700 San Juan County members have signed a petition calling for a freeze on the number of short term rental permits at the current active and compliant number of 413 along with island-specific caps.

Thank you for your time and consideration.

On behalf of the Vacation Rental Working Group,
Anne Marie Shanks

Sophia Cassam

From: Gregory Oaksen <gregoaksen@gmail.com>
Sent: Tuesday, March 8, 2022 2:40 PM
To: Vacation Rental Comments
Subject: VR Cap

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Dear County Council,

We signed up to testify at the March 8 County Council hearing but we were not listed to speak.

We support a cap on vacation rentals. First, we want to emphasize that a cap would not affect existing VR permits. Since 2019 three vacation rentals have occurred on our street of seven homes. We are dismayed to see vacation rentals, essentially a commercial enterprise, negatively affect neighborhoods and our community. The VR Work Group pointed out that 51% of VR permit holders live outside San Juan County. Thus, funds generated go outside our county. It is reasonable to place a cap on vacation rentals. We think a cap based on active and compliant permits of 413 as proposed on August 20, 2021 is a sensible and justifiable number.

We agree with realtor Sandi Friel's comments at the hearing that vacation rental permits increase a property's market value and ultimately the price of housing. Studies done by Harvard bore this out. These increased property values result in higher property taxes for all residents.

Thank You,

Gregory and Heather Oaksen
Orcas Island

Sophia Cassam

From: Judi Watson <capricorn8@centurytel.net>
Sent: Saturday, March 12, 2022 7:38 PM
To: Vacation Rental Comments; Community Development
Subject: FW: Vacation Rental at 84 Church Lane

You don't often get email from capricorn8@centurytel.net. [Learn why this is important](#)

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San Juan County Vacation Rentals,

I was sent a copy of this correspondence and would like to make an additional comment for clarification. My husband, Robin and I are owners of a section of the county's named (Eastern) Bartel Road. Church Lane is not "grandfathered" to connect to Barbary Road. North Shore Retreat is still in the process of completing their access road parallel to Barbary Road per Short Plat. Complications have arisen with new property owners this last winter. Barbary Road and east of the intersection of Bartel Road private property owners have given permission for them to use our road temporarily for building purposes. "Temporarily" has extended to "Prescriptive rights" for one owner of Church Lane because there have been multiple sales of properties. Donald Storms and Paige C. Wager's property only has legal access per North Shore Retreat's Short Plat and their road has not yet been constructed and we are patiently waiting. We feel that a vacation rental permit should not be allowed until their road can be utilized for access to another outlet other than our borrowed road. Our generosity is limited. San Juan Title Company knows the story.

Thank you,

Robin and Judi Watson
1105 Terrill Beach Road
Eastsound, WA 98245

360-376-4966

From: Sarah Lefton [mailto:sarah@sleepingsea.com]
Sent: Saturday, March 12, 2022 4:05 PM
To: dcd@sanjuanco.com
Cc: Shana Lloyd; Judi Watson
Subject: Vacation Rental at 84 Church Lane

To San Juan County Community Development,

This is regarding the application by our neighbors to acquire a vacation rental permit (Land Use-21-0218) on their property at 84 Church Lane, Eastsound.

I would like to bring to light that the access road to get to their home and place of the vacation rental business is across private property on a private road. Bartel Rd is owned by 5 properties, of which my home, 975 Bartel, is part. There are 5 additional homes past Bartel that use our road as entry to Church and Barbary Lane. These properties do not have deeded access to Bartel Rd. It is only through informal use over many years that their access has become "grandfathered." The recently purchased property at 84 Church Lane should not be allowed to have their vacation rental guests, who would be strangers to me, cross my private property. I am not comfortable with opening access to complete strangers.

In the past 10 or so years as the population and popularity of Orcas has grown, traffic on Bartel Rd has increased in kind. Even with yearly maintenance by an excavating contractor, the gravel is degraded with potholes after only a couple months. Bartel was never designed for the amount of vehicle traffic using it now. The majority of vehicles using Bartel Rd are affiliated with the non-ownership parcels (because there are more homes there), some of which have full time rentals and run businesses from their locations. These vehicles traverse all of Bartel Rd. In contrast, the east Bartel residents such as myself, use only a small section. Though road maintenance is divided equally between all parcels, the easternmost Bartel owners bear an unfair share of the burden.

A vacation rental would only add to the negative impact of vehicle traffic on Bartel Rd from Terrill Beach Road. I must stress the impact this has on my enjoyment and privacy at my home at 975 Bartel. Entering vehicles pass close to my house and can be heard (speeding faster than the posted 10mph) throughout the day. In the summer it kicks up dust, in the winter it contributes to potholes. This is a sensitive section of road with environmental implications. The south side borders protected wetlands. A water shed passes through my property and under this roadway. Bartel is very narrow and can only be used by one car going in one direction. If oncoming cars approach, someone has to back up and out of the way. It is really quite inconvenient and presents a serious danger when uninitiated drivers, especially tourists, who are not skilled drivers on a challenging, inadequate dirt country road such as ours.

Finally, it should be noted that Terrill Beach Cove, where my property is located, is private property. 84 Church Lane does not have beach rights. It is common for VR guests to ignore property boundaries and this will have a negative impact on the waterfront owners. As a waterfront owner, I do not appreciate having to enforce boundaries or report trespassing. All neighbors agree that added tourist presence and the resulting coming and goings by unknown persons, road congestion, noise, etc.. will negatively impact the peace and safety of our entire neighborhood. I have had a VR permit since 2003 and am very selective about renting, which I do only about 2 months of the year. 975 is also my personal home. As such I am invested in the quality of the neighborhood. The property at 84 Church Lane was purchased as a commercial investment to serve tourists and should not be allowed in this residential community. I stand with the Terrill Beach neighbors in opposing this vacation rental.

Sincerely,
Shana Lloyd, owner
975 Bartel Road
Eastsound, WA. 98245

360-376-7035

Sarah Lefton
975 Bartel



Virus-free. www.avg.com

Sophia Cassam

From: Lori Walsh <21lori21@gmail.com>
Sent: Tuesday, March 15, 2022 10:33 AM
To: Vacation Rental Comments
Subject: Vacation Rentals
Attachments: Vacation Rental Letter to Council March 2022.docx

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Dear Board Members,

I very much support a lower cap of vacation rentals proposed by the voluntary committee and the sentiments of the attached letter.

Thank you for your consideration

Lorraine Walsh

Sent from [Mail](#) for Windows



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March 15, 2022

San Juan County Council
C/O Department of Community Development
P.O. Box 947
Friday Harbor, WA 98250
Email: VRComments@sanjuanco.com

Dear County Council Members,

I am writing in support of the recommendations, made by the Planning Commission and presented to the Council, to cap vacation rentals at 650 permits with 229 for San Juan Island. That figure roughly represents the number of active and compliant permits currently issued on San Juan Island.

I feel the Commission was correct to base the recommended cap on active and compliant permits as this number reflects the current impact to the islands and to our neighborhoods. If, as the DCD Director asserts, the caps were based on all granted permits and the in-actives and non-compliant were to become active at some future point the impact, obviously, would be much greater.

And should the cap for San Juan Island be set at 500 as Mr. Stephens supports, please consider the current density areas on San Juan that would be disparately affected (see page 3 of Adam Zach's memo of 7-8-2020 entitled Countywide Vacation Rental Permit Density). Although one could argue that San Juan Island can absorb 500 vacation rentals, that would be erroneous. Currently, Roche Harbor, Snug Harbor, Town of Friday Harbor and, my neighborhood, University Heights, shoulder the vast majority of vacation rentals. Of the 55 properties in my community with water rights, 16 or 29% hold vacation rental permits and do actively rent.

Such a large percentage of vacationers where the owner is absent, leads to a myriad of problems. Neighborhood safety is at issue with unattended fires;

reckless driving with little regard for children and people walking dogs; noise; public intoxication. As such, the residents are put in a position of safeguarding, to the extent possible, our income-producing neighbors' properties in addition to our own. A neighborhood with so much VR density loses its sense of community, including the involvement of owners in community-minded projects. Further, burden is placed on our community water source. We have tracked and compared full time residential usage versus daily and weekly transient rental usage, on average, and it bears this out.

If additional permits are allowed, it would infringe on hotel revenue, resulting in a loss in lodging tax and could result in business closures. Restaurants and our grocery stores benefit greatly from hotel occupants and less from vacation rental occupants who often purchase groceries on the mainland and cook-in.

I sincerely hope and ask Council members to vote to accept the recommended caps as presented by the Planning Commission. Tourism is wonderful for our County but a balance needs to be struck that will allow residents to enjoy a quality life, workers who help support the tourist industry to have a stable place to live and tourists that are provided a good experience.

Thank you for your consideration,

Susan Kollet
791 Sutton Road
Friday Harbor, WA 98250

Lorraine Walsh
791 Sutton Road
Friday Harbor, WA, 98250

March 15, 2022

San Juan County Council
C/O Department of Community Development
P.O. Box 947
Friday Harbor, WA 98250
Email: VRComments@sanjuanco.com

S.J.C. DEPARTMENT OF

MAR 23 2022

COMMUNITY DEVELOPMENT

Dear County Council Members,

I am writing in support of the recommendations, made by the Planning Commission and presented to the Council, to cap vacation rentals at 650 permits with 229 for San Juan Island. That figure roughly represents the number of active and compliant permits currently issued on San Juan Island.

I feel the Commission was correct to base the recommended cap on active and compliant permits as this number reflects the current impact to the islands and to our neighborhoods. If, as the DCD Director asserts, the caps were based on all granted permits and the in-actives and non-compliant were to become active at some future point the impact, obviously, would be much greater.

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Such a large percentage of vacationers where the owner is absent, leads to a myriad of problems. Neighborhood safety is at issue with unattended fires; reckless driving with little regard for children and people walking dogs; noise; public intoxication. As such, the residents are put in a position of safeguarding, to the extent possible, our income-producing neighbors' properties in addition to our own. A neighborhood with so much VR density loses its sense of community, including the involvement of owners in community-minded projects. Further, burden is placed on our community water source. We have tracked and compared full time residential usage versus daily and weekly transient rental usage, on average, and it bears this out.

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I sincerely hope and ask Council members to vote to accept the recommended caps as presented by the Planning Commission. Tourism is wonderful for our County but a balance needs to be struck that will allow residents to enjoy a quality life, workers who help support the tourist industry to have a stable place to live and tourists that are provided a good experience.

Thank you for your consideration,

John Hagey
Janice Hagey
167 Evans Way
Friday Harbor, WA 98250

Sophia Cassam

From: Andrew Popovich <andrew.popovich@yahoo.com>
Sent: Tuesday, March 15, 2022 11:02 AM
To: Vacation Rental Comments
Subject: Vacation Rentals
Attachments: Vacation Rental Letter to Council March 2022.docx

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I whole heartily agree with the attached letter.

Andrew Popovich
17 Waypoint Rd.
Friday Harbor WA 98250

[Sent from Yahoo Mail for iPhone](#)

March 15, 2022

San Juan County Council
C/O Department of Community Development
P.O. Box 947
Friday Harbor, WA 98250
Email: VRComments@sanjuanco.com

Dear County Council Members,

I am writing in support of the recommendations, made by the Planning Commission and presented to the Council, to cap vacation rentals at 650 permits with 229 for San Juan Island. That figure roughly represents the number of active and compliant permits currently issued on San Juan Island.

I feel the Commission was correct to base the recommended cap on active and compliant permits as this number reflects the current impact to the islands and to our neighborhoods. If, as the DCD Director asserts, the caps were based on all granted permits and the in-actives and non-compliant were to become active at some future point the impact, obviously, would be much greater.

And should the cap for San Juan Island be set at 500 as Mr. Stephens supports, please consider the current density areas on San Juan that would be disparately affected (see page 3 of Adam Zach's memo of 7-8-2020 entitled Countywide Vacation Rental Permit Density). Although one could argue that San Juan Island can absorb 500 vacation rentals, that would be erroneous. Currently, Roche Harbor, Snug Harbor, Town of Friday Harbor and, my neighborhood, University Heights, shoulder the vast majority of vacation rentals. Of the 55 properties in my community with water rights, 16 or 29% hold vacation rental permits and do actively rent.

Such a large percentage of vacationers where the owner is absent, leads to a myriad of problems. Neighborhood safety is at issue with unattended fires;

reckless driving with little regard for children and people walking dogs; noise; public intoxication. As such, the residents are put in a position of safeguarding, to the extent possible, our income-producing neighbors' properties in addition to our own. A neighborhood with so much VR density loses its sense of community, including the involvement of owners in community-minded projects. Further, burden is placed on our community water source. We have tracked and compared full time residential usage versus daily and weekly transient rental usage, on average, and it bears this out.

If additional permits are allowed, it would infringe on hotel revenue, resulting in a loss in lodging tax and could result in business closures. Restaurants and our grocery stores benefit greatly from hotel occupants and less from vacation rental occupants who often purchase groceries on the mainland and cook-in.

I sincerely hope and ask Council members to vote to accept the recommended caps as presented by the Planning Commission. Tourism is wonderful for our County but a balance needs to be struck that will allow residents to enjoy a quality life, workers who help support the tourist industry to have a stable place to live and tourists that are provided a good experience.

Thank you for your consideration,

Susan Kollet
791 Sutton Road
Friday Harbor, WA 98250

Sophia Cassam

From: kollet@centurytel.net
Sent: Tuesday, March 15, 2022 11:40 AM
To: Vacation Rental Comments
Subject: Support Planning Commission Recommendation on Caps
Attachments: Vacation Rental Letter to Council March 2022.docx

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Please find the attached letter expressing my comments to Council concerning Vacation Rental Caps.

Thank you for all of the work you are putting in!!!!

Susan Kollet

March 15, 2022

San Juan County Council
C/O Department of Community Development
P.O. Box 947
Friday Harbor, WA 98250
Email: VRComments@sanjuanco.com

Dear County Council Members,

I am writing in support of the recommendations, made by the Planning Commission and presented to the Council, to cap vacation rentals at 650 permits with 229 for San Juan Island. That figure roughly represents the number of active and compliant permits currently issued on San Juan Island.

I feel the Commission was correct to base the recommended cap on active and compliant permits as this number reflects the current impact to the islands and to our neighborhoods. If, as the DCD Director asserts, the caps were based on all granted permits and the in-actives and non-compliant were to become active at some future point the impact, obviously, would be much greater.

And should the cap for San Juan Island be set at 500 as Mr. Stephens supports, please consider the current density areas on San Juan that would be disparately affected (see page 3 of Adam Zach's memo of 7-8-2020 entitled Countywide Vacation Rental Permit Density). Although one could argue that San Juan Island can absorb 500 vacation rentals, that would be erroneous. Currently, Roche Harbor, Snug Harbor, Town of Friday Harbor and, my neighborhood, University Heights, shoulder the vast majority of vacation rentals. Of the 55 properties in my community with water rights, 16 or 29% hold vacation rental permits and do actively rent.

Such a large percentage of vacationers where the owner is absent, leads to a myriad of problems. Neighborhood safety is at issue with unattended fires;

reckless driving with little regard for children and people walking dogs; noise; public intoxication. As such, the residents are put in a position of safeguarding, to the extent possible, our income-producing neighbors' properties in addition to our own. A neighborhood with so much VR density loses its sense of community, including the involvement of owners in community-minded projects. Further, burden is placed on our community water source. We have tracked and compared full time residential usage versus daily and weekly transient rental usage, on average, and it bears this out.

If additional permits are allowed, it would infringe on hotel revenue, resulting in a loss in lodging tax and could result in business closures. Restaurants and our grocery stores benefit greatly from hotel occupants and less from vacation rental occupants who often purchase groceries on the mainland and cook-in.

I sincerely hope and ask Council members to vote to accept the recommended caps as presented by the Planning Commission. Tourism is wonderful for our County but a balance needs to be struck that will allow residents to enjoy a quality life, workers who help support the tourist industry to have a stable place to live and tourists that are provided a good experience.

Thank you for your consideration,

Susan Kollet
791 Sutton Road
Friday Harbor, WA 98250

Sophia Cassam

From: kollet@centurytel.net
Sent: Tuesday, March 15, 2022 11:42 AM
To: Vacation Rental Comments
Subject: Vacation Rental Cap Comments for County Council Consideration
Attachments: Pauls Letter to Council March 2022.docx

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Hello. Please share my letter concerning Vacation Rental Caps with County Council and for public record.

Thank you.

Paul Kollet
791 Sutton Road
Friday Harbor

March 15, 2022

San Juan County Council
C/O Department of Community Development
P.O. Box 947
Friday Harbor, WA 98250
Email: VRComments@sanjuanco.com

Dear County Council Members,

I am writing in support of the recommendations, made by the Planning Commission and presented to the Council, to cap vacation rentals at 650 permits with 229 for San Juan Island. That figure roughly represents the number of active and compliant permits currently issued on San Juan Island.

I feel the Commission was correct to base the recommended cap on active and compliant permits as this number reflects the current impact to the islands and to our neighborhoods. If, as the DCD Director asserts, the caps were based on all granted permits and the in-actives and non-compliant were to become active at some future point the impact, obviously, would be much greater.

And should the cap for San Juan Island be set at 500 as Mr. Stephens supports, please consider the current density areas on San Juan that would be disparately affected (see page 3 of Adam Zach's memo of 7-8-2020 entitled Countywide Vacation Rental Permit Density). Although one could argue that San Juan Island can absorb 500 vacation rentals, that would be erroneous. Currently, Roche Harbor, Snug Harbor, Town of Friday Harbor and, my neighborhood, University Heights, shoulder the vast majority of vacation rentals. Of the 55 properties in my community with water rights, 16 or 29% hold vacation rental permits and do actively rent.

Such a large percentage of vacationers where the owner is absent, leads to a myriad of problems. Neighborhood safety is at issue with unattended fires;

reckless driving with little regard for children and people walking dogs; noise; public intoxication. As such, the residents are put in a position of safeguarding, to the extent possible, our income-producing neighbors' properties in addition to our own. A neighborhood with so much VR density loses its sense of community, including the involvement of owners in community-minded projects. Further, burden is placed on our community water source. We have tracked and compared full time residential usage versus daily and weekly transient rental usage, on average, and it bears this out.

If additional permits are allowed, it would infringe on hotel revenue, resulting in a loss in lodging tax and could result in business closures. Restaurants and our grocery stores benefit greatly from hotel occupants and less from vacation rental occupants who often purchase groceries on the mainland and cook-in.

I sincerely hope and ask Council members to vote to accept the recommended caps as presented by the Planning Commission. Tourism is wonderful for our County but a balance needs to be struck that will allow residents to enjoy a quality life, workers who help support the tourist industry to have a stable place to live and tourists that are provided a good experience.

Thank you for your consideration,

Paul Kollet
791 Sutton Road
Friday Harbor, WA 98250

Sophia Cassam

From: Eva Vanderhoeven <eva.vanderhoeven@gmail.com>
Sent: Wednesday, March 16, 2022 7:44 PM
To: Vacation Rental Comments
Subject: San Juan City Council VR issues
Attachments: San Juan City Council VR issues

[You don't often get email from eva.vanderhoeven@gmail.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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March 16, 2022
San Juan County Council
C/O Department of Community Development
P.O. Box 947
Friday Harbor, WA 98250
Email: VRComments@sanjuanco.com

Dear County Council Members,

This letter is in support of the recommendations made by the Planning Commission and presented to the Council, to cap vacation rentals at 650 permits, including 229 permits for San Juan Island. That figure roughly represents the number of active and compliant permits currently issued on San Juan Island.

It seems to me that the Commission is correct to base the recommended cap on active and compliant permits as this number reflects the current impact on the islands as well as on our neighborhoods. If, as the DCD Director asserts, the caps were based on all granted permits and the in-actives and non-compliant were to become active, the impact obviously, would be huge and would have a ripple effect.

Should the cap for San Juan Island be set at 500 as Mr. Stephens supports, the current density areas on San Juan would be disparately affected (see page 3 of Adam Zach's memo of 7-8-2020 entitled Countywide Vacation Rental Permit Density).

Although one could argue that San Juan Island could absorb 500 vacation rentals, lets consider a few things: currently, Roche Harbor, Snug Harbor, Town of Friday Harbor and, the neighborhood of University Heights, shoulder the vast majority of vacation rentals. Of the 55 properties in my community with water rights, nearly 1/3rd hold vacation rental permits and do actively rent. Such a large percentage of vacationers where the owner is absent, leads to a myriad of problems. The absence of owners recently led to several unnoticed broken mains with thousands of gallons of water lost. There is also the concern in regard to safety issues like unattended fires, reckless driving with little regard for animals, and people tall or small. Noise and intoxication are also issues for us who make this our home. As City Council, I would hope you'll seek a good balance!

A neighborhood with so much VR density loses its sense of community, including the involvement of owners in community-minded projects. Further, burden is placed on our community's water source. We have tracked and compared full time residential usage versus daily and weekly transient rental usage, on average, and it bears this out.

If additional permits are allowed, it would shift the balance negatively for hotel revenues, resulting in a loss in lodging tax and restaurant visits. I sincerely hope and ask Council members to vote to accept the recommended caps as presented by the Planning Commission. Tourism is good for our

County but a balance needs to be struck that will allow residents to enjoy quality of life, support the tourist industry with workers who have a stable place to live, and tourists whom are provided a wonderful experience.

Please, consider a good valance!

Eva C Vanderhoeven

41 Point Caution DR
Friday Harbor, WA 98250

Hosting on the Rock, Vacation Rental Owner/Host Group
Jan Scilipoti, 214 Military Road
Lopez Island, WA 98261

March 29, 2022

San Juan County Council Members

Cc: David Williams, Sophia Cassam

RE: Vacation Rental (VR) Moratorium & Caps

Dear County Council Members,

Prior to the Council meeting on April 5 when you will discuss Vacation Rental (VR) caps again, the Hosting on the Rock leadership team would like to call your attention to a few concerns. Beyond the simple decision of whether or not Caps on VR permits will be imposed, we ask you to address other related issues during your discussion:

1. Our group supports caps, but the maximum number must allow some room for additional permits. Homeowners in this expensive county need to have the option of renting their homes if life circumstances change. We must address the increasing wealth disparity in San Juan County. If 'zero growth' of permits is intended, how do you justify the loss of income to island residents?
2. During the last Council meeting, David Williams mentioned that there are approximately 800 VR permits currently. Of these, what is the breakdown per island? If Council is going to set caps for each island, it seems pertinent to begin by knowing an accurate current number.
3. Furthermore, how many of these 800 permits are Active and how many are Inactive? Is there a differentiation between permits that are Active for 90 days in a year versus those that are Active for 300 days a year? We think there should be.
4. SJC has strict "Fair Regulations" in place, as of 2018. Many residents do not have an understanding of the regulations, or of how to notify permit holders when an issue is occurring. We ask that education regarding our existing regulations which address community concerns be stepped up. The regulations are working, and we need to get the word out.
5. How do you intend to distribute permits that might become available? A lottery system has been proven to be ineffective and is not a preferred system for permit applicants.
6. We have heard no current plan for improving enforcement of the 2018 regulations, both for permit holders and for those who run rentals without a permit. This seems to be a point that nearly ALL agree on: we must have effective, timely enforcement. We would like to recommend Granicus, <https://granicus.com/>, a platform specifically designed for governmental agencies.
7. The density of VRs in certain neighborhoods (such as Eastsound, Deer Harbor and the Highlands on Orcas) has been identified as a potential issue. On one hand these are the precise areas that have been identified in the Comprehensive Plan for higher residential density, yet some residents are complaining that there are too many VRs in these areas. What can be done to resolve these conflicts? A flat cap will do nothing to reduce density in

these neighborhoods. Furthermore it has yet to be determined: what percentage of VRs is too many? According to whom, and why?

Two methods used in other jurisdictions to address density: Santa Fe, NM has a ruling that new VRs must be at least 50' away from other VRs. Savannah, GA limits the percentage of VRs based on the number of housing units in each 'neighborhood'.

8. Will there be any exception made for residents who live on the same property as their VR? Specifically, will they be awarded permits even if the cap has been met? Many other jurisdictions allow owners to have VRs on their own property regardless of the cap.
9. **Finally, what are the effects of the Pandemic on the number of year-round residents on our islands?** We hear the number of homes being lived in year-round has greatly increased. How has this changed the percentage of homes used as VRs, the percentage of homes that are vacant, and the percentage of homes used by owners and year-round tenants?

How can we in good conscious set caps (particularly strict, zero-growth caps such as those the Planning Commission recommended), when we do not know the current demographics of our existing housing?

We appreciate your consideration of these points, and request that you address them in your Council discussions.

Jan Scilipoti, Lopez

Vicki Leimback, Orcas

Linda Bannerman, Orcas

Karen Key Speck, Orcas